

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

TOWN OF MONSON

ANNUAL TOWN WARRANT

To any of the Constables of the Town of Monson in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn all the inhabitants of the Town of Monson qualified to vote in Elections and Town Affairs to meet in the Granite Valley Middle School Auditorium on Thompson Street on Monday, May 10, 2010, at 7:00 p.m. to act upon the following articles:

ARTICLE 1:

To hear reports of Town Officers and Committees and act on same or take any other action relative thereto.

ARTICLE 2:

To see if the Town will vote to fix the salary or compensation of all elected officials as prescribed, or take any other action relative thereto.

ARTICLE 3:

To see if the Town will vote to re-authorize the existing Revolving Funds under M.G.L. Chapter 44 Section 53E 1/2 as per Attachment A, naming the programs and purposes for which said revolving fund may be expended, the receipts to be credited to the fund, the board, department or officer authorized to expend from said fund and the limit on the total amount which may be expended from said fund during the fiscal year, or take any other action relative thereto.

ARTICLE 4:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate any sum of money as may be necessary to defray the expenses of the Town for the ensuing year, the fiscal period from July 1, 2010 to June 30, 2011, or take any other action relative thereto.

ARTICLE 5:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to the Stabilization Account, as provided in Massachusetts General Laws, Chapter 40, Section 5B, or take any other action relative thereto.

ARTICLE 6:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to pay the Town's apportioned share of the Operating and Maintenance and Capital Budget of the Pathfinder Regional Vocational/Technical High School District, or take any other action relative thereto.

ARTICLE 7:

To see if the Town will vote to transfer and appropriate the Comcast, Inc. Franchise Fee to Municipal Public Access Cable Television, Inc., or take any other action relative thereto.

ARTICLE 8:

To see if the Town will vote to accept any funds which have been offered to the Town's Perpetual Care Cemetery Fund since the last Annual Town Meeting, or take any other action relative thereto.

ARTICLE 9:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money with which to meet bills of previous years, or take any other action relative thereto.

ARTICLE 10:

To see if the Town will vote to authorize the Town Treasurer and Town Collector to enter into written agreements with banking institutions having their principal offices in the Commonwealth of Massachusetts, for a period not to exceed one year, pursuant to which said Town Treasurer and Town Collector agree to maintain on deposit in said institutions specified amounts of the funds of the Town in return for the provision by said institution(s) of banking services; such services that so qualify shall be prescribed by the Commissioner of Revenue, as well as by other provisions of Massachusetts General Laws Chapter 44, et seq., or take any other action relative thereto.

ARTICLE 11:

To see if the Town will vote to authorize the Selectmen to sell at public or private sale, after first giving notice of sale in some convenient and public place in the Town, fourteen (14) days at least before the sale, property taken by the Town under tax title procedure; provided, however, that the Selectmen or whomsoever they authorize to hold such sale may

reject any bid which they or the person so authorized may deem inadequate, or take any other action relative thereto.

ARTICLE 12:

To see if the Town will vote to raise and appropriate or borrow and appropriate a sum of money up to three hundred sixty-nine thousand one hundred and ten dollars (\$369,110.00) to be used for construction projects authorized through the Chapter 90 Bond Issue, provided however that the town be reimbursed one hundred per cent (100%) of said sum upon project completion, or take any other action relative thereto.

ARTICLE 13:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to operate the Enterprise Trash/Recycling Program for fiscal year 2011 or take any other action relative thereto.

ARTICLE 14:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate from available funds a sum of money to operate the Sewer Enterprise Fund for fiscal 2011, or take any other action relative thereto.

ARTICLE 15:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate from available funds a sum of money to operate the Water Enterprise Fund for fiscal 2011, or take any other action relative thereto.

ARTICLE 16:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to the Fund Balance Reserved for High School Construction Debt, or take any other action relative thereto.

ARTICLE 17:

To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2011, with each item to be considered a separate appropriation:

Appropriations:

From FY 2011 estimated revenues for Committee Administrative Expenses\$ 15,000

Reserves:

From FY 2011 estimated revenues for Historic Resources Reserve	\$ 30,000
From FY 2011 estimated revenues for Community Housing Reserve	\$ 30,000
From FY 2011 estimated revenues for Open Space Reserve	\$ 30,000
From FY 2011 estimated revenues for Budgeted Reserve	\$165,000

ARTICLE 18:

To see if the Town will vote to transfer and appropriate a sum of money from the Overlay Surplus Account to the Assessors Stabilization Fund, or take any other action relative thereto.

ARTICLE 19:

To see if the Town will vote to transfer and appropriate a sum of money from the Water Enterprise Free Cash to a Water Capital Account for the Mechanic Street Water Main Relocation Project, or take any other action relative thereto.

ARTICLE 20:

To see if the Town will vote to raise and appropriate the sum of \$35,000 (Thirty-Five Thousand Dollars) from the Monson Community Preservation Committee's Undesignated Account to repair, restore and preserve the Monson Free Library historic granite building; said work to include repair of the front arch keystone, clean and repoint the library façade, clean and repoint the front entrance stairs, restore the front stairway handles, remove and reset stair tread and repair two masonry stringers and repair of the front columns; all work to be done to preserve the historic portion of the Monson Free Library and under the Community Preservation Program for preservation of historic and scenic resources pursuant to Massachusetts General Laws, Chapter 44B, or any other enabling authority; and said funds to be expended under the direction of the Community Preservation Committee, or take any other action relative thereto.

ARTICLE 21:

To see if the Town will vote to charge for each written demand issued by the Town Collector a fee of twenty dollars (\$20.00) to be added to and collected as part of the tax, as authorized by M.G.L. Chapter 60, Section 15, effective July 1, 2010, or take any other action relative thereto.

ARTICLE 22:

To see if the Town will vote to convey, sell, transfer or otherwise dispose of a parcel of land and premises that was formerly possessed and occupied by the Inhabitants of Monson known as the "School House No. 8" situated and located on the west side of Main Street

from 1859 to 1917 when the school house was demolished and razed for the sum of Three Thousand and 00/100 (\$3,000.00) Dollars to Monica M. Jurczyk; and to authorize the Board of Selectmen to execute a deed effectively transferring all of the Town's right, title and interest in and to said land and premises as more fully described by the following description:

"A tract of land lying about one and a half miles South of the Center meeting house in said Monson being the same place on which Jeremiah Bumstead lives and which said Bumstead deeded to Raymond Topliff by a deed dated the twenty fifth day of February 1839 and bounded as follows: viz beginning at the North East corner of the lot now to be described on the west side of the turnpike road (so-called) and at a corner of Hiram King's land; thence running Southerly on said road to Pearly Truesdell's land; thence Westerly on said Truesdell's land to the road leading from said Bumstead's house to the Methodist Meeting House; thence westerly and northerly on said road and the road leading by the grist mill to the said Hiram King's land; thence Easterly on said King to the first mentioned bound and containing about 7 acres be the same more or less with the building thereon. For a more particular description of said lot reference may be had to a deed from James Stebbins to the said Bumstead dated May 5, 1810, also a deed from Pearly Truesdell to the said Bumstead date 20th April 1810"

Excepting from the above described premises so much as was conveyed by the following deeds:

1. Hampden County Registry of Deeds Book 281 Page 140
2. Hampden County Registry of Deeds Book 355 Page 273
3. Hampden County Registry of Deeds Book 158 Page 463

Meaning and intending to convey and hereby conveying by this deed so much of the above described premises that remained after the above recited exceptions and which now comprises that portion of Lot #1 as shown on Hampden County Registry of Deeds Plans 268 Page 69 that lies northerly of the northerly lot line of the land described in a warranty deed from Pearly Truesdell and Mary Truesdell, Administrators of the Estate of Pearly Truesdell to Lyman Shaw dated May 5, 1845 and recorded in Hampden County Registry of Deeds Book 128 Page 137 and southerly of the "Old Cart Road" shown on said plan.

Also conveying hereby any fee interest of the grantor in said Old Cart Road as shown on said Plans 268, Page 69.

What remains after the above exception deeds, is the land that was commonly known as the "Schoolhouse Lot" in School District No. 8 which was referred to in a deed from the Hampden Cotton Manufacturing Company to Cyrus W.

Holmes et als dated January 8, 1869 and recorded in Hampden County Registry of Deeds Book 261 Pages 232 to 234. There is no deed of record of the said "Schoolhouse Lot in School District No. 8" from the Hampden Cotton Manufacturing Company to the Town of or Inhabitants of Monson from March 1, 1839 to the date of this deed in the Hampden County Registry of Deeds, but there was off record evidence that indicates that such deed was executed but never recorded in the Hampden County Registry of Deeds by inadvertence, neglect, omission or otherwise.

Or take any other action relative thereto.

ARTICLE 23:

To see if the Town will vote to accept the provisions of M.G.L. c.32B, § 18, requiring that all retirees, their spouses and dependents, who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to enroll in a Medicare health benefits supplement plan offered by the town, or take any other action relative thereto.

ARTICLE 24:

To see if the Town will vote to amend its Zoning Bylaws, regarding single family dwellings on estate lots, as follows, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws for the town of Monson:

Section 6.5.8 (c) Existing language

(c) A maximum grade of twelve percent 12%;

Section 6.5.8 (c) To be modified as follows:

(c) A maximum grade of twelve percent 12% unless a waiver is granted by the Special Permit Granting Authority (SPGA).

Section 6.5.12 Waivers: New sections to be added as follows:

6.5.12 Waivers:

The Monson Planning Board acting as the Special Permit Granting Authority (SPGA) may grant the following waivers to the requirements of this section:

1. A maximum grade in excess of 12% may be allowed on limited sections of the estate lot driveway by a waiver granted by the SPGA if other items associated with design

and construction of the estate lot driveway provide, in the opinion of the SPGA, safe and reasonable access for owners, fire, police and emergency vehicles taking into account the alignment of the driveway, the surface treatment of the driveway, the relationship of the location of the sections over twelve percent (12%) of the driveway to the compliant sections of the driveway and the overall drivability of the driveway. Sections of the driveway over twelve percent (12%) shall be limited to two hundred and fifty (250) feet in length for each noncompliant section. Noncompliant sections of the estate lot driveway shall be separated by a minimum length of two hundred and fifty (250) feet of driveway meeting the requirements of Section 6.5.8 (c).

Or take any other action relative thereto.

ARTICLE 25:

To see if the Town will vote to amend its Zoning Bylaws regarding common driveways as follows and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaws for the town of Monson:

Section 6.21.2.2 Existing language

2. The distance of the common driveway measured from the street line to the last lot line shall not exceed a distance of seven hundred (700) feet. The driveway shall provide safe and reasonable access for fire, police and emergency vehicles.

Section 6.21.2.2 to be modified as follows:

2. The distance of the common driveway measured from the street line to the last lot line shall not exceed a distance of seven hundred (700) feet unless a waiver is granted by the Special Permit Granting Authority (SPGA) in accordance with Section 6.21.6.1 of Section 6.21. The driveway shall provide safe and reasonable access for fire, police and emergency vehicles.

Section 6.21.3.1(b) Existing language

- (b) A maximum grade of twelve percent (12%); said driveway shall not exceed a grade of two percent (2%) within 30 feet of its intersection with the public way.

Section 6.21.3.1(b) to be modified as follows:

- (b) A maximum grade of twelve percent (12%) unless a waiver is granted by the Special Permit Granting Authority (SPGA) in accordance with Section 6.21.6.2 of Section 6.21. Said driveway shall not exceed a grade of two percent (2%) within 30 feet of its intersection with the public way.

Section 6.21.3.1(g) Existing language

- (g) The common access driveway including utilities, shoulders, turnarounds, travel way, and any snow storage areas shall be laid out entirely within an access and utility easement. All stormwater runoff from the common driveway shall be contained on the property.

Section 6.21.3.1(g) to be modified as follows:

- (g) The common access driveway including utilities, shoulders, turnarounds, travel way and any snow storage areas shall be laid out entirely within an access and utility easement. All stormwater runoff from the common driveway shall be contained on the property or otherwise mitigated by stormwater management best management practices to result in no net increase in pre-development peak flow rates as compared to post-development peak flow rates. No stormwater runoff from the common driveway shall be allowed to cross into or flow over the traveled portion of the public way.

Section 6.21.6 Waivers: New sections to be added as follows:

6.21.6 Waivers:

The Monson Planning Board acting as the Special Permit Granting Authority (SPGA) may grant the following waivers to the requirements of this section:

1. The total distance of the common drive can be increased over 1,200 linear feet as measured from the street line to the last lot line of the common drive provided that:
 - (a) The common drive is constructed to suitable widths to meet the requirements of this bylaw, that adequate access and turn-around areas in compliance with Section 6.21.3(c) of this bylaw are provided at a spacing of seven hundred (700) feet maximum along the common drive and at the end of the common drive, that adequate access and turn-around areas in compliance with Section 6.21.3(c) of this bylaw are provided at spacing of seven hundred (700) feet maximum along the length of the standard driveway and at the end of the standard driveway, if the standard drive is in excess of three hundred and fifty (350) feet in length measured from the end of the common driveway, that the standard driveway is constructed to suitable grades, alignment and width to prove access for emergency vehicles, and that the dwellings associated with the common drive access constructed beyond a distance of one thousand (1000) feet from the public way shall include a fire alarm system monitored through a private monitoring

company who shall notify the central dispatch in the Town of Monson of emergency incidents.

2. The maximum grade in excess of 12% may be allowed on limited sections of the common drive by a waiver granted by the SPGA if other items associated with design and construction of the common drive provide, in the opinion of the SPGA, safe and reasonable access for owners, fire, police and emergency vehicles taking into account the alignment of the common drive, the surface treatment of the common drive, the relationship of the location of the sections over twelve percent (12%) of the driveway to the compliant sections of the driveway and the overall drivability of the common drive. Sections of common drive over twelve percent (12%) shall be limited to two hundred and fifty (250) feet in length for each noncompliant section. Noncompliant sections of common drive shall be separated by a minimum length of two hundred and fifty (250) feet of common drive meeting the requirements of Section 6.21.3.1(b).

Or take any other action relative thereto.

You are hereby directed to serve the Warrant by posting an attested copy thereof in at least two public places in the Town, seven days at least before the time appointed for holding the meeting aforesaid.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

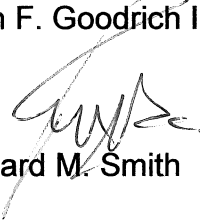
Given under our hands this 27th day of April, 2010.



Edward S. Harrison, Chairman



John F. Goodrich II



Richard M. Smith

MONSON BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

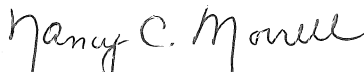
May 3, 2010

Pursuant to the within Warrant, I have notified and warned the legal voters of the Town of Monson by posting an attested copy of said Warrant in at least two places in said Monson seven days at least before the time appointed for holding the meeting aforesaid.

A true Copy,
ATTEST:



Constable of Monson



Town Clerk